

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

34209-037
(Inmate Number)

THOMAS SHANE MATHERLY
(Name of Plaintiff)

FCI BUTNER PO BOX 1000
(Address of Plaintiff)

BUTNER NC 27509-1000

vs.

RONNIE HOLT, WARDEN FCI SCHUYLKILL

(Names of Defendants)

(Case Number)

COMPLAINT

FILED
SCRANTON

APR 22 2005

PER _____
DEPUTY CLERK

TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS

 X 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. Previous Lawsuits

- A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

NONE

II. Exhaustion of Administrative Remedies

- A. Is there a grievance procedure available at your institution?

 X Yes No

- B. Have you filed a grievance concerning the facts relating to this complaint?

 X Yes No

If your answer is no, explain why not _____

- C. Is the grievance process completed? X Yes No

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

A. Defendant RONNIE HOLT is employed
as WARDEN at FCI SCHUYLKILL

B. Additional defendants _____

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

1. On 2/26/04 and 3/4/04 I was confronted by two different inmates
about my criminal history. Both inmates were living in the same
room with me. The first confrontation I denied my criminal history
but on the 2nd time the inmate disclosed detail info kept only in
(see attach 1)
2. This roommate claimed to have gotten the information from the out-
side. I know this is not true because I filed 8 FOI/PA requests
with the DOJ and the time it was taking to respond was quite long.
Therefore I believe that a member of the BOP staff release that
(see attach 1)
3. The BOP staff at FCI Schuylkill violated my safety and security
while I was housed at their facility.

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I am seeking actual damages in the amount of \$1000 and for punitive
\$750,000 for the potential harm that could have come because of
the violation of my personal information in my PSI.
2. Also I am seeking a reprimand or injunction by the court to order
the BOP to review its procedure on how it gives information about
inmates to other inmates, and to implement better confidentiality
procedures.
3. A recommendation to Congress for a law that would prevent this
kind of intrusion into an inmates personal history by another
inmate.

Signed this 12th day of April, 2005.

Sharon Shane Matley
(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

4-12-05
(Date)

Sharon Shane Matley
(Signature of Plaintiff)

IV. Statement of Claim

1. my PSI. He told me about the FBI sting operation from my first offense and told me things about what I had disclosed during group therapy i was in during supervised release.
2. information to the inmate in violation of title 5 section 552a and the Freedom of Information/Privacy Act of 1974. Also I received a letter from the Clerk of the Court for the Eastern District of Virginia Alexandria Division stating that a persons PSI is filed under seal. (See Attached Letter).

UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF VIRGINIA
OFFICE OF THE CLERK
ALBERT V. BRYAN U.S. COURTHOUSE
401 COURTHOUSE SQUARE
ALEXANDRIA, VIRGINIA 22314-5798

ELIZABETH H. PARET
CLERK OF COURT

CIVIL	299-2101
CRIMINAL	299-2102
JURY/NATURALIZATION	299-2104
FINANCIAL	299-2105
SYSTEM	299-2106
ADMINISTRATION	299-2107

October 7, 2004

Thomas Shane Matherly # 34208037
FCI Schuylkill- SHU
P.O. Box 759
Minersville, PA 17954-0759

Re: Case number 1:00cr238 and 1:03cr422

Dear Mr. Matherly:

On October 4, 2004, we received a letter from you regarding information about Presentence Reports. Presentence Reports are filed Under Seal and to obtain a copy you would need to contact the Probation Office. All other documents that are not filed Under Seal are available for the public to review.

If you have any questions, please feel free to contact the Clerk's Office at (703) 299-2101.

Sincerely,

Elizabeth H. Paret, Clerk

By: 

Deputy Clerk

**FORMS TO BE COMPLETED BY PRISONERS FILING A CIVIL RIGHTS
COMPLAINT UNDER 42 U.S.C. § 1983 or 28 U.S.C. § 1331**

COVER SHEET

THIS COVER SHEET CONTAINS IMPORTANT INFORMATION ABOUT FILING A COMPLAINT AND YOUR OBLIGATIONS IF YOU DO FILE A COMPLAINT. READ AND COMPLETE THE COVER SHEET BEFORE YOU PROCEED FURTHER.

The cost for filing a civil rights complaint is \$150.00.

If you do not have sufficient funds to pay the full filing fee of \$150.00 you need permission to proceed *in forma pauperis*. However, the court will assess and, when funds exist, immediately collect an initial partial filing fee of 20 percent of the greater of:

- 1) the average monthly deposits to your prison account for the past six months; or
- 2) the average monthly balance in your prison account for the past six months.

Thereafter, the institution in which you are incarcerated will be required to make monthly payments of 20% of the preceding month's deposits credited to your account until the entire filing fee is paid.

CAUTION: YOUR OBLIGATION TO PAY THE FULL FILING FEE WILL CONTINUE REGARDLESS OF THE OUTCOME OF YOUR CASE, EVEN IF YOUR COMPLAINT IS DISMISSED BEFORE THE DEFENDANTS ARE SERVED.

1. You shall file a complaint by completing and signing the attached complaint form and mailing it to the Clerk of Court along with the full filing fee of \$150.00. (In the event attachments are needed to complete the allegations in the complaint, no more than three (3) pages of attachments will be allowed.) If you submit the full filing fee along with the complaint, you DO NOT have to complete the rest of the forms in this packet. Check here if you are submitting the filing fee with the complaint form. _____

2. If you cannot afford to pay the fee, you may file a complaint under 28 U.S.C. § 1915 without paying the full filing fee at this time by completing the following: (1) Complaint Form; (2) Application To Proceed In Forma Pauperis; and (3) Authorization Form. You must properly complete, sign and submit all three standard forms or your complaint may be returned to you by the Clerk of Court. Check here if you are filing your complaint under 28 U.S.C. § 1915 without full prepayment of fees. -X

Please Note: If your case is allowed to proceed and you are awarded compensatory damages against a correctional facility or an official or agent of a correctional facility, the damage award will first be used to satisfy any outstanding restitution orders pending. Before payment of any compensatory damages, reasonable attempts will be made to notify the victims of the crime for which you were convicted concerning payment of such damages. The restitution orders must be fully paid before any part of the award goes to you.

DO NOT DETACH THE COVER SHEET FROM THE REST OF THE FORMS

Shane Matherly 51401051
FBI Butner Unit - MD
PO Box 1000
Butner NC 27509-1000



United States District Court
Attn: Clerk of the Court
235 N. Washington Ave
Scranton PA 18501

RECEIVED
SCRANTON

APR 22 2005

PER DEPUTY CLERK

Special Mail

Special